

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NANCY E. LEROUX,)	
)	
Plaintiff,)	8:06CV247
)	
v.)	
)	
SOCIAL SECURITY)	MEMORANDUM AND ORDER
ADMINISTRATION,)	
)	
Defendant.)	

The court's review of the filed transcript has raised a question which must be addressed before any ruling on the merits. At page 32 of the hearing transcript, (filing 7 (Administrative Record) at p. 331), the plaintiff's counsel asks the vocational expert to assume a set of physical restrictions and, when asked for the source of these restrictions, refers the expert to page 10F/3 of the record. The administrative record before the court does not include a page 10F/3.

According to the first page of the exhibit, exhibit 10F consists of three pages and includes records of Dr. Yashil Vora dated April 8, 2004. Only the first two pages of that exhibit are in the administrative record before the court; the page numbers go from 10F/2 to 11F/1.

IT THEREFORE HEREBY IS ORDERED:

1. On or before November 3, 2006:
 - a. Counsel for the government shall review the filed administrative record to assess whether the filed record is complete;
 - b. If the government determines that any documents are missing, these documents shall be filed as a supplemental transcript; and

- c. The government shall certify under oath that the administrative record previously filed (filing 7), or the combination of filing 7 and any filed supplemental administrative record represents a complete transcript of Social Security proceedings for this plaintiff.
- 2. On or before November 10, 2006:
 - a. Counsel for the plaintiff shall be afforded the opportunity to review the filing 7 administrative record along with any supplemental administrative record to confirm that the entire record has been filed; and
 - b. Counsel for the plaintiff shall either file a certificate confirming that the administrative record filed is complete, or a statement that the record appears incomplete with a listing of any records believed to be missing.

DATED this 26th day of October, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge